IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

WP(C).No. 22312 of 2006(F)

EP.13/05 IN OS.147/1996 of SUB COURT,KATTAPPANA

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PETITIONER:

K.B.BABU, KUNADY HOUSE,
KUMILY.P.O., IDUKKI.

BY ADV. SRI.J.OM PRAKASH

RESPONDENT:

STATE BANK OF TRAVANCORE,
REP. BY ITS MANAGER, KUMILY BRANCH,
KUMILY.P.O., IDUKKI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.22312/06

APPENDIX

PETITIONER'S EXTS:

EXT.P1 – TRUE COPY OF ORDER IN EP.13/05 IN O.S.147/96 OF SUB COURT, KATTAPPANA, DT. 13.6.06.

/TRUE COPY/

PIUS C. KURIAKOSE, J.

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W.P.(C)No.22312 OF 2006

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DATED THIS THE 14th AUGUST, 2007

J U D G M E N T

In this Writ Petition the 1st judgment-debtor challenges the order of the execution court directing sale of a portion of the decree-schedule property for realisation of the decree-debt. The ground which is seen seriously raised is that the petitioner will be able to pay off the entire decree-debt within six months and therefore Ext.P1 order should not be implemented. Noticing the above ground, while admitting this Writ Petition, this Court on 21.8.2006 granted stay for six months on condition that the petitioner pays to the decree-holder an amount of Rs.50,000/- within one month. It is not known whether the above condition has been complied with. At any rate, since the interim order grants to the petitioner the request voiced by him through the Writ Petition, it is not necessary to grant any further reliefs. The Writ Petition will stand disposed of accordingly.

(PIUS C.KURIAKOSE, JUDGE)

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